

Attorney Docket A-036 US

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JAN 07 2004

In re Application of:

Jeffrey A. Trogolo et. al.

)
: Examiner: Bennett, Rachel M.
)
: Group Art Unit: 1615
)

Application No.: 10/032,370

Filed: December 21, 2001

For: High Aspect Ratio Encapsulated Inorganic
Antimicrobial Additive for Controlled Release)CERTIFICATE OF TRANSMISSION

I hereby certify that this document, together with the appended Credit Card Authorization and Fee Transmittal, is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 872-9306 on January 7, 2004.


Edward K. Welch II

Commissioner for Patents
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (1.97(c))

Sir:

Pursuant to 37 C.F.R. §§ 1.51(b), 1.56, 1.97 and 1.98, Applicants draw the Examiner's attention to the documents that appear listed on the attached Form PTO-1449. A copy of the Patent Abstracts of Japan for JP 05154174 is transmitted herewith. It is the undersigned's understanding that copies of US patent citations need not accompany a facsimile transmitted IDS and, thus, a copy of US 6,123,925 is not transmitted herewith.

01/09/2004 AWONDAF1 00000006 10032370

FC:1806

180.00 DP

USSN 10/032,370

Applicant respectfully requests that each of these documents be considered by the Examiner, made of record herein, listed on the "Notice of References Cited" to be issued in this application and printed on any patent that may issue from this application. Applicant also respectfully requests that a copy of the attached Form PTO-1449, initialed by the Examiner, be returned to Applicants' attorney together with the next communication indicating that these documents have in fact been considered.

The citations are acknowledged as teaching, among other aspects, the following:

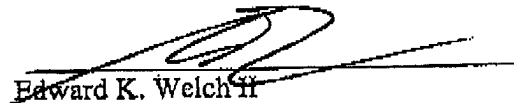
-- Barry et. al., US 6,123,925, teach the encapsulation of antimicrobial zeolites with a barrier polymer to protect the antimicrobial zeolite from interaction with other components of the toothpaste. The barrier polymer is eroded away during brushing to release the antimicrobial agent.

-- Kanebo Ltd. teach the incorporation of antimicrobial zeolites in hydrophilic polymers for preparation of fibers for use in fabric.

This Information Disclosure Statement is being filed subsequent to the issuance of an Office Action on the merits but prior to the issuance of a Final Rejection or Notice of Allowance, pursuant to 37 CFR § 1.97(c), together with the designated fee of \$180.00 as set forth in 37 CFR § 1.117(p). Transmitted herewith is a Credit Card Authorization for payment of the fee.

Applicant's undersigned attorney may be reached by telephone at 781-224-7165, by facsimile at 781-246-3314 or by e-mail at ewelch@agion-tech.com. All paper correspondence should continue to be directed to the address given below.

Respectfully submitted,



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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Modified) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use Several Sheets if Necessary) <small>(27 CFR 1.901)</small>	ATTORNEY DOCKET NO.: A-036 US	APPLICATION NO.: 10/032,370
	APPLICANT: Jeffrey A. Trogolo et. al.	
	FILING DATE: December 21, 2001	GROUP: 1615

U.S. PATENT DOCUMENTS						
EXAMINER'S INITIAL	PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	6,123,925	9/26/2000	Barry et. al.	424	49	

	DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUB CLASS	TRANSLATION	
						YES	NO
	JP05154174	6/22/1993	Japan				*

OTHER DOCUMENTS (Including Author, Title, Date, Relevant Pages, Place of Publication)			

EXAMINER:	DATE CONSIDERED:
EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.	

NON-WOVEN FABRIC BANDAGE FOR UNDER WINDING OF CAST

Patent number: JP5154174
Publication date: 1993-06-22
Inventor: SANNOMIYA ISAO; others: 01
Applicant: KANEBO LTD
Classification:
- international: A61F13/04; A61L15/07
- european:
Application number: JP19910347710 19911204
Priority number(s):

Abstract of JP5154174

PURPOSE: To obtain the non-woven fabric bandage for under winding of a cast which prevents itching and exp: the fixing of gypsum, resin, etc., used for the cast by mixed spinning a hydrophilic polymer into synthetic fibers c zeolite carrying silver, copper or zinc ions.

CONSTITUTION: The non-woven fabric bandage for under winding of the cast contains the synthetic fibers cont zeolite carrying the silver, copper or zinc ions. The bandage also contains 5 to 20wt.% hydrophilic fibers. The fit contg. the zeolite are formed by, for example, adding the zeolite carrying the silver, copper or zinc ions into the polymer for the fibers. A part of the moisture in the gypsum or resin for fixing is absorbed in the hydrophilic fiber when the nonwoven fabric bandage contains the hydrophilic fiber and, therefore, the fixing in a short period of ti possible. The antimicrobial property intrinsic to the nonwoven fabric bandage itself is further improved by the m absorbed in the bandage.

PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL
for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 180.00**Complete if Known**

Application Number	10/032,370
Filing Date	December 21, 2001
First Named Inventor	Jeffrey A. Trogolo
Examiner Name	Bennett, Rachel M.
Art Unit	1615
Attorney Docket No.	A-036 US

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number _____

Deposit Account Name _____

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 620	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$) 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims Extra Claims Fee from below Fee Paid

Independent Claims - 20** = X =

Multiple Dependent Claims - 3** = X =

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 84	2201 42	Independent claims in excess of 3	
1203 260	2203 140	Multiple dependent claim, if not paid	
1204 84	2204 42	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)			(\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 260	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1602 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	80.00
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 180.00**SUBMITTED BY**

Name (Print/Type)	Edward K. Welch II	Registration No. (Attorney/Agent)	30899	Telephone	781-224-7165
Signature		Date	7 January 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND **

Communications for Patents, Washington, DC 20231.